PATENT COOPERATION TREATY

	From the INTERNATIONAL BUREAU
PCT	То:
NOTIFICATION OF ELECTION (PCT Rule 61.2) Date of mailing (day/month/year)	Commissioner US Department of Commerce United States Patent and Trademark Office, PCT 2011 South Clark Place Room CP2/5C24 Arlington, VA 22202 ETATS-UNIS D'AMERIQUE
31 July 2001 (31.07.01)	in its capacity as elected Office
International application No. PCT/US00/41057	Applicant's or agent's file reference 723-938 Priority date (day/month/year) 14 October 1999 (14.10.99) Technol
International filing date (day/month/year) 04 October 2000 (04.10.00) Applicant	Priority date (day/month/year) 14 October 1999 (14.10.99) Technology Center 210
KOON, David, G.	Center 210
in the demand filed with the International Prelimina 03 May 2001 in a notice effecting later election filed with the International Prelimina 7. The election X was was not was not made before the expiration of 19 months from the priority Rule 32.2(b).	rnational Bureau on:
The International Bureau of WIPO	Authorized officer

Form PCT/IB/331 (July 1992)

Facsimile No.: (41-22) 740.14.35

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Olivia TEFY

, 09 1831018 (27 C1/Franconis)

NT COOPERATION TREATY

PCT

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PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 723-938	FOR FURTHER ACTION	See Notification Preliminary Exam	of Transmittal of International mination Report (Form PCT/IPEA/416)	
International application No.	International filing date (day/mor	th/year) P	riority date (day/month/year)	
PCT/US00/41057	04 October 2000 (04.10.2000)	1	4 October 1999 (14.10.1999)	
International Patent Classification (IPC)	or national classification and IPC			
IPC(7): G06F 17/30 and US Cl.: 705/16	,20,21			
Applicant				
NINTENDO OF AMERICA, INC				
Examining Authority and	nary examination report has been is transmitted to the applicant a	ccording to Artic	cle 36.	
2. This REPORT consists of	a total of 2 sheets, including	this cover sheet.	1	
which have been ame	ended and are the basis for this	report and/or she	scription, claims and/or drawings eets containing rectifications made strative Instructions under the PCT).	
These annexes consist of a	total of sheets.			
3. This report contains indica	ations relating to the following	tems:		
I Basis of the rep	ort			
II Priority				
III Non-establishm	ent of report with regard to nov	elty, inventive s	tep and industrial applicability	
IV Lack of unity o	f invention			
	nent under Article 35(2) with retations and explanations suppor			
VI Certain docume	_			
	in the international application			
	tions on the international applic	cation		
_				
Date of submission of the demand	Date	of completion o	f this report	
03 May 2001 (03.05.2001)	23 Ju	23 June 2001 (23.06.2001)		
Name and mailing address of the IPEA/	05	orized officer	0 11	
Commissioner of Patents and Trademan Box PCT	rks Hyu:	ng S. Sough	Paggy Hand	
Washington, D.C. 20231 Facsimile No. (703)305-3230	Telep	ohone No. 703-30	8-0956	
Form DCT/IDE A/AOQ (cover sheet)/[uly]	008/	·		



International a cation No.
PCT/US00/41057

I.	Basi	s of the report
1.	With	regard to the elements of the international application:*
	\boxtimes	the international application as originally filed. the description: pages 1-17 as originally filed pages NONE, filed with the demand
		pages NONE , filed with the letter of .
		the claims: pages 18-22 , as originally filed pages NONE , as amended (together with any statement) under Article 19 pages NONE , filed with the demand pages NONE , filed with the letter of .
	\boxtimes	the drawings: pages 1, as originally filed pages NONE, filed with the demand pages NONE, filed with the letter of
	X	the sequence listing part of the description: pages NONE, as originally filed pages NONE, filed with the demand pages NONE, filed with the letter of
	langı	regard to the language, all the elements marked above were available or furnished to this Authority in the tage in which the international application was filed, unless otherwise indicated under this item elements were available or furnished to this Authority in the following language which is:
		the language of a translation furnished for the purposes of international search (under Rule23.1(b)).
		the language of publication of the international application (under Rule 48.3(b)).
		the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
		regard to any nucleotide and/or amino acid sequence disclosed in the international application, the national preliminary examination was carried out on the basis of the sequence listing:
		contained in the international application in printed form.
		filed together with the international application in computer readable form.
		furnished subsequently to this Authority in written form.
		furnished subsequently to this Authority in computer readable form.
		The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
		The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4.	\mathbf{Y}	The amendments have resulted in the cancellation of:
		the description, pages NONE the claims, Nos. NONE
		the drawings, sheets/fig NONE
5.		This report has been established as if (some of) the amendments had not been made, since they have been considered to go
		beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**
his	repoi	ement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in 1 as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17). Eplacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

International argumention No.
PCT/US00/41057
PCT/US00/41057

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1. STATEMENT					
Novelty (N)	Claims <u>1</u> Claims <u>1</u>	-22 VONE	YES NO		
Inventive Step (IS)	Claims 1		YES NO		
Industrial Applicability (IA)	Claims 1		YES		
2. CITATIONS AND EXPLANATIONS (Rui Claims 1-22 meet the criteria set out in PCT Article system which uses a serial number mask including a Further, the subject matter claimed can be made or	33(2)-(4), becau at least a first cha used in industry.	racter that describes variables			





(PCT Article 36 and Rule 70)

Applicant's	r age	nt's file reference	FOR FURTHER ACTI		tion of Transmittal of International Examination Report (Form PCT/IPEA/416)	,	
7466/MH							
International application No.			International filing date (day/month/year)		Priority date (day/month/year)	İ	
PCT/US0			01/03/2000		05/03/1999		
Internationa A61K31/0		nt Classification (IPC) or na	tional classification and IPC				
Applicant						·	
THE PRO	CTE	R & GAMBLE COMP.	ANY et al.	,,,			
1. This ir and is	terna trans	tional preliminary exam mitted to the applicant a	ination report has been pre according to Article 36.	epared by this Intel	national Preliminary Examining Autho	ority	
2. This F	EPO	RT consists of a total of	9 sheets, including this co	over sheet.		ļ	
be (s	☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of sheets.						
			ating to the following items:				
1 1		Basis of the report Priority					
''	⊠	•	pinion with regard to nove	Ity, inventive step	and industrial applicability		
IV		Lack of unity of invention		,	., .		
v	×	Reasoned statement u		ard to novelty, inve ent	ntive step or industrial applicability;		
vi	\boxtimes	Certain documents cit	ed				
VII	×	Certain defects in the i	nternational application				
VIII	×	Certain observations o	n the international applicat	iion			
Date of sub	missic	on of the demand		Date of completion of	this report		
07/09/20	00	·	1	15.06.2001			
	Name and mailing address of the international preliminary examining authority:			Authorized officer	(Springer)	S PRIENTERS	
European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas				Hoff, P	(Live exp.)		

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Tel. +31 70 340 - 2040 Tx: 31 651 epo nl

International application No. PCT/US00/05196

I .	Bas	is (of 1	the	re	port
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1.	the and	With regard to the elements of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)): Description, pages:						
	1-13	3	as originally filed					
	Clai	ms, No.:						
	1-22	2	as originally filed					
2.	lang	juage in which the i	nuage, all the elements marked above were available or furnished to this Authority in the nternational application was filed, unless otherwise indicated under this item.					
	me	se elements were a	available of fulfillshed to this Additionty in the following language. , which is:					
		the language of a	translation furnished for the purposes of the international search (under Rule 23.1(b)).					
		the language of pu	iblication of the international application (under Rule 48.3(b)).					
		the language of a 55.2 and/or 55.3).	translation furnished for the purposes of international preliminary examination (under Rule					
3.			electide and/or amino acid sequence disclosed in the international application, the y examination was carried out on the basis of the sequence listing:					
		contained in the in	ternational application in written form.					
		filed together with	the international application in computer readable form.					
		furnished subsequently to this Authority in written form.						
		furnished subsequ	ently to this Authority in computer readable form.					
		☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.						
		The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.						
4.	The	amendments have	e resulted in the cancellation of:					
		the description,	pages:					
		the claims,	Nos.:					
		the drawings,	sheets:					
5.		This report has be considered to go b	een established as if (some of) the amendments had not been made, since they have been beyond the disclosure as filed (Rule 70.2(c)):					

International application No. PCT/US00/05196

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this

6.	Additional observations, if necessary:								
III.	Non	-establishment of opini	on with	regard t	to novelty, inventive step and industrial applicability				
1.	. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:								
	Ц	the entire international a	pplicatio	on.					
	×	claims Nos. 1-22.							
be	caus	e:							
	the said international application, or the said claims Nos. 1-11,16,17,19-22 with respect to industrial applicability relate to the following subject matter which does not require an international preliminary examination (specify): see separate sheet								
	×	the description, claims o are so unclear that no m see separate sheet	r drawin eaningfi	ngs (<i>indic</i> ul opinior	cate particular elements below) or said claims Nos. 1-11,16,17,19-22 on could be formed (specify):				
	×	the claims, or said claim meaningful opinion could			17,19-22 are so inadequately supported by the description that no				
	×	no international search r	eport ha	as been e	established for the said claims Nos. 12-15,18.				
2.	2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:				nation cannot be carried out due to the failure of the nucleotide y with the standard provided for in Annex C of the Administrative				
		the written form has not	been fu	rnished o	or does not comply with the standard.				
		the computer readable f	orm has	not bee	en furnished or does not comply with the standard.				
٧.	 Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement 								
1.	Stat	tement							
	Nov	velty (N)	Yes: No:	Claims Claims					
	Inve	entive step (IS)	Yes: No:	Claims Claims					

International application No. PCT/US00/05196

Industrial applicability (IA)

Yes:

Claims see Separate Sheet

No: Claims

2. Citations and explanations see separate sheet

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted: see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made: see separate sheet

EXAMINATION REPORT - SEPARATE SHEET

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

- 1. No International Preliminary Examination will be carried out in respect of subject- matter which is not covered by the search report (Rule 66.1(e) PCT).
- 2. Claims 1-11,16,17,19-22 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 67.1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of these claims (Article 34(4)(a)(I) PCT).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: US 4 621 100 A (LUND JOHN E ET AL) 4 November 1986

D2: WO 92 21350 A (SEPRACOR INC) 10 December 1992

D3: US 3 982 016 A (WALSH ALEXANDER H) 21 September 1976

D4: US 4 812 304 A (ANDERSON COLIN ET AL) 14 March 1989

D5: WEINREB M ET AL: "The anabolic effect of PGE2 in rat bone marrow cultures is mediated via the EP4 receptor subtype." AMERICAN JOURNAL OF PHYSIOLOGY, (1999 FEB) 276 (2 PT 1) E376-83., XP000952048

D6: WOODIEL, FLORENCE N. ET AL: "Anabolic effects of prostaglandins in cultured fetal rat calvariae: Structure-activity relations and signal transduction pathway" J. BONE MINER. RES. (1996), 11(9), 1249-1255, XP000952077

INTERNATIONAL PRELIMINARY Inte

The Applicant's attention is drawn to the fact that the present opinion expressed as to novelty, inventive step and industrial applicability refers only to matter for which an international search report has been drawn up (i.e. to the compounds structurally identified on pages 7-8).

- 1. The document D1 discloses the use of prostaglandin analogs having the general structure described on pages 7-8 for increasing bone mass and treating bone disorders such as osteoporosis or bone fracture. Examples of such compounds include: 9-deoxo-9-methylene-16,16-dimethyl-PGE2, PGE2, and 16,16-dimethyl-PGE2.
- Therefore, in view of D1 the subject-matter of claims 1-11,16,17,19-22 cannot be regarded as being novel and does not meet the requirements of Article 33(2) PCT.
- 2. Furthermore, the documents D2, D3 and D4 describe prostaglandins of the formula of pages 7-8 for increasing bone volume and treating various bone disorders such as osteoporosis, fractures or osteomalacia. Examples of such prostaglandins include:

PGE2 and 16,16-dimethyl PGE2 (D2); 16-aryl-13,14-dihydro-PGE2 p-biphenyl ester (D3) and PGE2 (D4).

Therefore, the lack of novelty of claims 1-11,16,17,19-22 in sense of Article 33(2) PCT is further emphasized by the disclosure of documents D2 to D4.

3. Moreover, the attention of the Applicant is drawn to the fact that all embodiments covered by the claims should satisfy the criteria of inventive step. When the inventive step is solely based on the achievement of a technical effect, such as the increase of bone volume and the treatment of bone disorders in the present case, substantially all embodiments should exhibit this effect. It must be credible that all the alternatives claimed must be a solution to the problem.

The present invention is based on the discovery of the bone anabolic effect of non-naturally-occurring selective EP1 agonists.

However, the documents D5 and D6 report that EP1 agonists of the general formula of pages 7-8 (17-phenyltrinor-PGE2 and sulprostone) lack <u>any</u> bone anabolic activity.

This discrepancy between the present invention and the teaching of the prior art leads to a doubt concerning the real bone anabolic effect of EP1 agonists.

Therefore, as the subject-matter of claims 1-11,16,17,19-22 (i.e. <u>all</u> EP1 agonists of the formula of pages 7-8) does not exhibit the particular technical effects (the claimed therapeutic effects) in a credible manner, said subject-matter (as far as novel) cannot involve inventive step.

Re ItemVI

Certain documents cited

Certain published documents (Rule 70.10)

Application No	Publication date (day/month/year)	Filing date	Priority date (valid claim)
Patent No		(day/month/year)	(day/month/year)
WO-A-0051616	08.09.00	01.03.00	05.03.99
WO-A-0021542	20.04.00	12.10.99	15.10.98

The documents WO-A-0051616 which describes a method for increasing bone volume with a non-naturally-occurring EP1 selective agonist (in association with a non- naturallyoccurring FP selective agonist) is relevant for novelty for the subject-matter of claims 1-11,16,17,19-22.

The documents WO-A-0021542 which describes a method for stimulating bone formation and treating bone disorders with PGE2 is relevant for novelty for the subject- matter of claims 1-11,16,17,19-22.

The priorities of the conflicting and the pending applications have however not been checked.

Re Item VII

Certain defects in the international application

- 1. The abbreviation "PTH" (page 1, line 38) is not specified as required under Rule 10.1.(e) PCT.
- 2. The passages on page 9, lines 35-36 and on page 13, lines 13-16 in the description do not comply with Rule 9.1.(iv) PCT.
- 3. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art

disclosed in the documents D1 to D4 is not mentioned in the description, nor are these documents identified therein.

Re Item VIII

Certain observations on the international application

- 1. The embodiment of the invention described on pages 7-8 does not fall within the scope of claims 12-15,18. This inconsistency between the claims and the description leads to doubt concerning the matter for which protection is sought, thereby rendering the claims unclear (Article 6 PCT).
- 2. Present claims 1-11,16,17,19-22 relate to a compound defined by reference to its pharmacological property, namely "non-naturally-occurring selective EP1 agonist". The claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. Accordingly, the claims lack support, and the application lacks disclosure. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to its pharmacological profile.
- 3. The term "prostaglandin analog" used in claim 10 is vague and unclear and leaves in doubt as to the meaning of the technical features (substances) to which it refers, thereby rendering the definition of the subject-matter of said claim unclear (Article 6 PCT).
- 4. Claims 2 and 3 relate to the use of an EP1 agonist for treating a disease which actually is not well defined. Treatment of "a bone disorder" or "increasing trabecular number" are not clear definitions of diseases rendering thus the scope of the protection of said claims obscure (Article 6 PCT).
- It is pointed out that the mechanism of action of a drug (in the present case increasing trabecular number) cannot be considered in itself as a therapeutic application; the discovery that a substance has a particular pharmacological profile still needs to find a practical application in the form of a defined, real treatment of a pathological condition.

INTERNATIONAL PRELIMINARY

International application No. PCT/US00/05196

EXAMINATION REPORT - SEPARATE SHEET

5. The features of claim 16 (osteoarthritis and Paget's disease) are not referred to in the description. Claim 16 is therefore not supported by the description as required by Article 6 PCT.



(19) World Intellectual Property Organization International Bureau





(43) International Publication Date 19 April 2001 (19.04.2001)

PCT

(10) International Publication Number WO 01/27817 A1

(51) International Patent Classification⁷: G06F 17/30

- (21) International Application Number: PCT/US00/41057
- (22) International Filing Date: 4 October 2000 (04.10.2000)
- (25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/159,432 60/198,655 14 October 1999 (14.10.1999) US 20 April 2000 (20.04.2000) US

- (71) Applicant (for all designated States except US): NIN-TENDO OF AMERICA, INC. [US/US]; 4820 150th Avenue, N.E., Redmond, WA 98052 (US).
- (72) Inventor; and
- (75) Inventor/Applicant (for US only): KOON, David, G. [US/US]; Nintendo of America, Inc., 4820 150th Avenue, N.E., Redmond, WA 98052 (US).

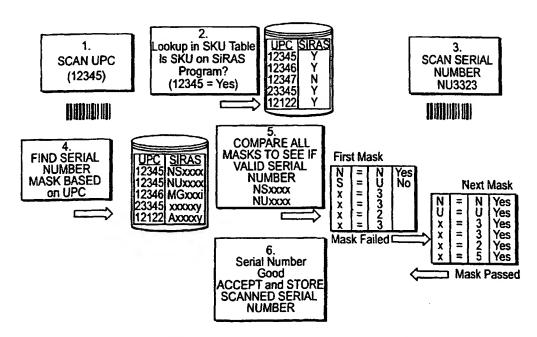
- (74) Agent: KAGEN, Alan, M.; Nixon & Vanderhye P.C., Suite 800, 1100 North Glebe Road, Arlington, VA 22201-4714 (US).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

Published:

With international search report.

[Continued on next page]

(54) Title: SERIAL NUMBER MASK AND CHECK DIGIT FOR ELECTRONIC REGISTRATION SYSTEM (ERS)



(57) Abstract: A method and system for efficiently handling the acquisition of serial number information from products at, for example, a point of sale system in a retail store or the like utilizes a serial number mask (4) to generically define attributes of a serial number format. The serial number mask characterizes the serial number format and includes at least a first character that describes variables of the serial number format. With this method and system, an electronic registration system can be used to reduce or prevent improper returns of consumer products.

O 01/27817 A1

WO 01/27817 A1



 Before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments. For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.



INTERNATIONAL SEARCH REPORT

International application No. PCT/US00/41057

A. CLASSIFICATION OF SUBJECT MATTER			
IPC(7) :G06F 17/30 US CL :705/16, 20, 21			
According to International Patent Classification (IPC) or to both national classification and IPC			
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols)			
22.214.22.21			
U.S. : 705/16, 20, 21			
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched			
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)			
C. DOCUMENTS CONSIDERED TO BE RELEVANT			
Category*	Citation of document, with indication, where appr	ropriate, of the relevant passages	Relevant to claim No.
A, P	US 6,018,719 A (ROGERS et al.) 25 JANUARY 2000, ALL		1-22
A	US 5,416,306 A (IMAHATA) 16 MAY 1995, ALL		1-22
A,P	US 6,016,480 A (HOUVENER et al.) 18 JANUARY 2000, ALL		1-22
A	US 5,602,377 A (BELLER et al.) 11 FEBRUARY 1997, ALL		1-22
A	US 5,256,863 A (FERGUSON et al.) 26 OCTOBER 1993, ALL		1-22
Further documents are listed in the continuation of Box C. See patent family annex.			
date and not in the document defining the general state of the art which is not considered the principle or			nternational filing date or priority plication but cited to understand the invention
E earlier document published on or after the international tiling date *L* document which may throw doubts on priority claim(s) or which is		X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	
		'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	
"P" de	ocument published prior to the international filing date but later than the priority date claimed	*&* document member of the same pate	
Date of the actual completion of the international search		Date of mailing of the international search report 26 FEB 2001	
22 JANUARY 2001 Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231		Authorized officer JAMES P. TRAMMELL Peoply Hamor	
Facsimile		Telephone No. (703) 305-3900	